

Iful

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Taylor, James SERIAL NO: 10/806,254 FILED: March 22, 2004

FOR: Scanning Probe

**GAU: 3737** 

EXAMINER: A.Iman St. Louis, Missouri Date: January 30, 2006

DN: 7500

I hereby certify that this correspondence is being deposited with the

U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450,

Alexandria, V2 22313-1450, on

Attorney

Date of Signature

Director, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

AMENDMENT A HAR BOX SERVICE

Sir:

This is in response to the office action dated October 19, 2005.

Initially, enclosed is a Terminal Disclaimer relative to the Assignee's patent No. 6,709,397.

With the filing of this Terminal Disclaimer, it would appear that the basis for rejection under the judicially created doctrine of obviousness-type double patenting has been obviated. Thus, apparently claims 1-3 should now be in condition for allowance.

The examiner's further review of this matter would be appreciated.

Respectfully submitted,

Paul M. Denk

Attorney for Applicant Pat. Off. Reg. No. 22,598

763 South New Ballas Road, Ste. 170

St. Louis, Missouri 63l4l

(314) 872-8136

PMD/sm Enclsoure